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03-05-02
SUBSTITUTE for PTO/SB/05 (08/00) Utility Patent Application Transmittal
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 20084YCA

First Inventor or Application Identifier Chen, Fang

Title DNA MOLECULES ENCODING HUMAN NUCLEAR
RECEPTOR PROTEINS, nNR7 AND nNR7-1

Express Mail Label No.

03/04/02
10/090090
U.S. PTO

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 54]
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 14]
[Total Pages 68]

4. Oath or Declaration
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 14 completed)

- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting
inventor(s) named in the prior
application, see 37 CFR 1.63(d)(2)
and 1.33 (b).

5. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

6. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Form
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment papers (cover sheet & document(s))
8. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
9. ☐ Information Disclosure Statement ☐ Copies of
(IDS)/PTO-1449 IDS Citations
10. ☒ Preliminary Amendment
11. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
12. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
13. ☒ Other: Req. for Filing Continuation Transmittal

14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09 / 209,069

Prior application information: Examiner M. Pak Group/Art Unit: 1646

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

15. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code
Label

Customer No. 000210
(Insert Customer No. or Attach bar code here)

NAME J. Mark Hand
ADDRESS Merck & Co., Inc., P. O. Box 2000 - Patent Dept., RY60-30
CITY Rahway STATE NJ ZIP CODE 07065-0907
COUNTRY USA TELEPHONE 732-594-3905 FAX 732-594-4720

Name J. Mark Hand Registration No. (Attorney/Agent) 36,545
Signature Date 3/4/2002

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT March 4, 2002

EXPRESS MAIL NO. EL523911383US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE
UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"
ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER
FOR PATENTS, BOX PATENT APPLICATION, WASHINGTON, D.C. 20231.

MAILED BY Christina Cuffe DATE 3-4-02

03-05-02

Patent Case No.

20084YCA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231

Prior Application:

Examiner

M. Pak

Art Unit

1646

Sir: This is a request for filing a ☒ Continuation ☐ Divisional

application, under 37 C.F.R. 1.53(b), of pending application Serial No. 09/209,069 filed on

December 10, 1998

(DATE)

of Chen, Fang

(INVENTOR)

for DNA MOLECULES ENCODING HUMAN NUCLEAR RECEPTOR PROTEINS, nNR7 AND nNR7-1

(TITLE OF INVENTION)

1. The enclosed comprises a copy of prior application Serial No. 09/209,069, as filed on

December 10, 1998. The entire disclosure of this prior application is hereby incorporated by reference.

2. The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELLED								
FOR	NUMBER FILED		NUMBER EXTRA		RATE		FEE	
Total Claims	19	-	20	0	x	\$18	\$0	
Independent Claims	4	-	3	1	x	\$84	\$84	
*Multiple Dependent Claims						\$280		
Basic Fee (minimum amount required)							\$740	
							\$824	
* Add this fee if application contains any multiple dependent claims, regardless of number.								Total Fee

* Add this fee if application contains any multiple dependent claims, regardless of number.

3. The Assistant Commissioner is hereby authorized to charge any fees which may be required or to credit any overpayment to
Account No. 13-2755.4. ☒ Amend the specification by inserting before the first line the sentence:-- This is a ☒ continuation, ☐ division of application Serial No. 09/209,069, filed December 10, 1998, which claims the benefit, under 35 U.S.C. 119(e), of U.S. Provisional S.N. 60/104,251, filed October 14, 1998, and U.S. Provisional S.N. 60/069,401, filed December 12, 1997.5. ☒ Cancel in this application original claims: 1-19; 35-386. ☒ Preliminary amendment enclosed.7. ☐ Information Disclosure Statement/PTO-1449 enclosed.8a. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.8b. ☐ New formal drawings are enclosed.9a. ☐ Priority of application Serial No. _____, filed _____, in _____ (COUNTRY) is claimed under 35 U.S.C. 119.9b. ☐ The certified copy of the priority application has been filed in prior application Serial No. _____, filed _____.10. ☒ The prior application is assigned to Merck & co., Inc., Rahway, New Jersey 0706511. ☒ The undersigned attorney or agent has:a. ☒ Power in the prior application as originally filed.b. ☐ Associate power, copy enclosed.

Respectfully,



By: J. Mark Hand

Attorney _____ for Applicant(s)

Registration No. 36,545

Telephone: (732) 594-3905

Address: Merck & Co., Inc.
Patent Department
P.O. Box 2000 - RY60-30
Rahway, N.J. 07065-0907

Date: March 4, 2002

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT March 4, 2002

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MAILED BY

DATE

3-4-02

IN DUPLICATE

Enclosure